

Notice of Allowability

Application No.

10/616,503

Examiner

Jerry Redman

Applicant(s)

CHEN ET AL.

Art Unit

3634

ST

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephonic interview on 9/3/2004.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ The drawings filed on 7/9/2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date attached hereto.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. patent to Folger discloses a trolley assembly having the trolley disconnected from the chain similar to that of the applicant's invention. U.S. patent to Hormann discloses a trolley assembly detachably connected to the chain drive for manual operation similar to that of the applicant's invention.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the claims:

In claim 1, line 3, "the feature is" has been deleted;

In line 11, "the" first occurrence has been deleted and "device" has been changed to --member--;

In claim 2, lines 1-2, "the feature is:" has been changed to --further comprising--;

In claim 3, lines 1-2, "the feature is:" has been changed to --further comprising--;

In line 3, "torsion spring" has been changed to --spring member--; and

In claim 4, lines 1-2, "the feature is:" has been changed to --further comprising--.

In the specification:

On page 1, line 21, "moving" has been changed to --move--.

In the abstract:

In line 15, "drives" has been changed to --drive--.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Chiara (#52,737) on 9/3/2004.


The following is an examiner's statement of reasons for allowance: the recitation of a trolley member for a garage door opener comprising a trolley body, a connecting rod connected to the trolley body, a gear shaft disposed on the trolley body and rotatably connected to the trolley body, a rack disposed on the trolley body, a gear disposed on the gear shaft, teeth of the gear engaged with teeth on the rack, a spring connected to a spring member wherein the rack has two working positions wherein the first working position has the rack inserted within a slot of a chain link with the spring member urging the rack thereto and a second working position such that the rack is detached from the slot is seen as an unobvious improvement over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 703-308-2120.



Jerry Redman
Primary Examiner